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July 31, 2007

VIA ELECTRONIC FILING

Honorable Patti B. Saris
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
One Courthouse Way – Suite 2300
Boston, MA 02210

Re: *divine*
04-12263-PBS

Dear Judge Saris:

The parties to the above-captioned litigation respectfully request a continuance of the status conference scheduled for Thursday, August 2, 2007.

As the Court is aware, Plaintiffs and divine's bankruptcy Trustee have reached an agreement in principle to resolve the Trustee's opposition to the settlement of this action. That agreement is contingent upon the Trustee's settlement with divine's former directors. I was informed today by counsel for the Trustee that his agreement with the directors is almost complete, but that it is not yet done, although he expects it to happen shortly. Therefore, it would be premature for the Court to set Notice and Final Approval dates in the case at this time.

The parties apologize for having to seek this additional continuance, and respectfully request that the Court continue the status conference for 45 days to permit the parties to present revised preliminary approval papers to the Court.

Respectfully submitted,



Samuel H. Rudman

SHR/PAF

cc: via Facsimile
All Counsel

Divine (04-12263-PBS)

Service List – 06/11/07

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